

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In re:

Case No.8:18-bk-02719-RCT
Chapter 13

KYRAN MCADAM JAMES

Debtor(s)¹

**TRUSTEE'S MOTION TO DISMISS FOR
FAILURE TO MAKE PAYMENTS TO THE TRUSTEE**

KELLY REMICK, the Chapter 13 Standing Trustee, by and through her undersigned attorney, hereby moves to dismiss the above-styled Chapter 13 case, and in support thereof would state as follows:

1. As of July 27, 2018, the Debtor is delinquent in payments ordered to be paid to the Chapter 13 Trustee to the extent of \$2,760.00, which sum is through and including the July 2018 payment.

2. The Debtor's failure to make timely payments to the Chapter 13 Trustee is contrary to the terms of the Administrative Order FLMB-2017-3 et seq., entered in this case and as such constitutes grounds for dismissal pursuant to 11 U.S.C. §1307(c)(1) as a willful failure of the Debtor to abide by Orders of the Court and as an unreasonable delay that is prejudicial to creditors.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order of Dismissal for failure to make plan payments for the above-styled Chapter 13 case, together with such other and further relief as the Court deems just and proper.

I HEREBY CERTIFY that a true and correct copy of the foregoing Trustee's

¹ All references to "debtor" shall include and refer to both of the debtors in a case filed jointly by two individuals.

Motion to Dismiss for Failure to Make Payments to the Trustee was furnished, by U.S. Mail and/or CM/ECF, to Kyran Mcadam James, 6502 N. 34th St., Tampa, FL 33610; and Law Offices Robert M. Geller, PA, 807 W Azeele Street, Tampa, FL 33606, on July 27, 2018.

/s/William C. Harrison

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